

United States District Court
Southern District of New York

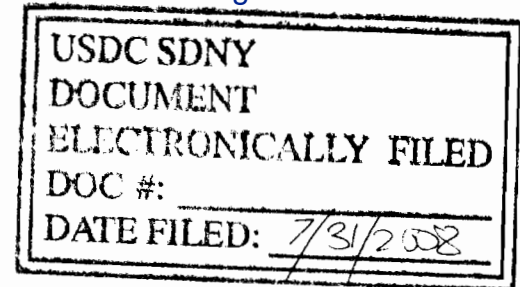
-----X
Alpha Capital Anstalt,

Plaintiff,

vs.

Brilliant Technologies Corporation,

Defendant.
-----X



Notice of Voluntary Dismissal
Without Prejudice

08 CV 03369 (DAB)

Sirs:

Please take notice that pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, whereas Defendant Brilliant Technologies Corporation has not filed an answer or a motion for summary judgment, Plaintiff Alpha Capital Anstalt, hereby voluntarily dismisses the captioned action without prejudice.

Dated: New York, New York
July 30, 2008

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By: 

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all pending motions are DENIED as moot.

SO ORDERED



DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE